

From: [Andrew Bodman](#)
To: [Northampton Gateway](#)
Cc: [REDACTED]
Subject: Northampton Gateway Rail Freight Interchange Project – Non-Material Change TR050006
Date: 23 September 2022 11:24:22
Attachments: [Northampton Gateway Amendment.pdf](#)

Dear Sir or Madam

Please find attached my response to the consultation for an amendment to the Development Consent Order for the Northampton Gateway strategic rail freight interchange. This consultation ends on 26th September.

I strongly object to this proposed amendment, and I have reason to believe that this consultation may be invalid as one of the proposed elements of the amendment may have been changed during this consultation.

Please find my views in the attached document.

Yours faithfully

Andrew Bodman

[REDACTED]

Northampton Gateway Non-Material Change TR050006

Request to amend the Development Consent Order for this Strategic Rail Freight Interchange

I strongly object to this amendment for the reasons that I will set out below. In addition, it appears that the consultation itself may be invalid.

A Development Consent Order was granted for Northampton Gateway in 2019. The original planning application had been processed through the Planning Inspectorate rather than the local planning authority as the scheme was proposed to be a Strategic Rail Freight Interchange (SRFI). The principles for the latter are set out in the National Policy Statement for National Networks. That document contains the following:

*4.88 Applications for a proposed SRFI should provide for a number of rail connected or rail accessible buildings for **initial** take up, plus rail infrastructure to allow more extensive rail connection within the site in the longer term. The **initial** stages of the development must provide an **operational rail network connection** and areas for intermodal handling and container storage. It is not essential for all buildings on the site to be rail connected from the outset, **but a significant element should be.***

(My emphasis in bold)

That makes it very clear that a SRFI should be rail connected from day one.

The Development Consent Order (DCO) issued for Northampton Gateway contained the following statement:

Components of development and phasing, 3 (3) on page 44

A rail terminal capable of handling at least four intermodal trains per day, including 775 metre length trains, must be constructed and available for use prior to the occupation of any of the warehousing.

This is the specific requirement for Northampton Gateway, as issued by the Planning Inspectorate, for the rail connection to be available before any warehouse can be occupied.

Segro, in its application statement published on 10th August 2022, makes clear that it originally intended to have the facility of agreeing with the local planning authority what proportion of the total warehouse capacity could be occupied before the rail connection was first made. Application Statement paragraph 3.2:

It was for this reason, which is entirely outside of the Applicant's control, that, when putting forward the draft DCO which included a commitment to the provision of the rail terminal, the Applicant included additional wording in the relevant requirement allowing for the occupation constraint to be varied by agreement with the local planning authority if

necessary. The additional wording was not included in the approved DCO, hence the need for an amendment to the DCO.

So, the Planning Inspectorate did not accept that variance to the underlying principle of the National Policy Statement for National Networks when the original planning application for Northampton Gateway was made. For the same reasons they should not accept this requested amendment now.

Segro have indicated in their application statement that they expect Northampton Gateway site to be completed by autumn 2022, but that the connection to the rail network will not be ready until Q1 2024, although that is not a firm date. The delay in the rail connection is down to Network Rail and is outside the control of the developer Segro.

Segro has been marketing (for some time) the availability of warehousing at Northampton Gateway from Q4 2022, which is in breach of the current DCO. Segro has been attempting to pre-empt the forthcoming decision of the Planning Inspectorate concerning its proposed amendment to the DCO. Some might say that shows contempt for the official planning process.



The consequences of approving the requested amendment are that logistics companies would operate as entirely road-based operations at Northampton Gateway. They would become established in that mode of operation for a year or possibly much longer, and there would be no incentive for them to switch to using the rail connection at a later point in time. The site might well become a purely road-based logistics hub, with the SRFI element being in name only. If that were to happen, the original DCO would become invalid as it would have been granted on a basis which was not delivered.

I note in paragraph 3.5 of the application statement that reference is made to the Future of Freight report. It includes the following extract:

In doing so, the report also underlines the important role of multi-modal interchanges (such as SRFIs) in enabling a shift from road to rail for more of the long-haul journeys.

That is not an argument which supports the opening of warehousing before a rail connection is made, but quite the opposite. It supports the National Policy Statement for National Networks which I quoted at the beginning of my response.

The application statement also attempts to use East Midlands Gateway as a precedent for allowing a rail connection to be made after the first warehousing has been occupied. What has happened at East Midlands Gateway is no guide whatsoever as to what may happen at Northampton Gateway if permission is granted for some warehousing to be occupied before the rail connection is made.

In its application statement, Segro has indicated that there are a number of companies that have expressed an interest in occupying warehousing at Northampton Gateway. That does not confirm in any way that they want to use the rail connection when eventually available.

If the Planning Inspectorate is minded to approve this amendment, I envisage it being difficult to enforce the proposed 37% (?) occupancy limit. What happens when the occupancy rate reaches say 45%? Is one of the occupiers going to be forcibly removed?

Approving the requested amendment will increase the number of HGVs using the roads on a permanent basis which is precisely the opposite purpose of Strategic Rail Freight Interchanges.

To the best of my knowledge, Segro is an experienced infrastructure developer. It will know how Network Rail works. It has chosen to complete its warehouse building well before Network Rail is ready to make a connection. That has been a commercial risk that it chose to take.

I don't believe that it is correct to classify this proposed amendment as non-material. If Northampton Gateway is entirely occupied by road-based logistics companies, which is a likely consequence of approving this amendment, then that is a very material change to the conditions of the original DCO being granted.

It is my understanding that since this proposed amendment was published by the Planning Inspectorate, Segro have written to Blisworth Parish Council to indicate that they wish to have up to 80% (rather than 37%) of the warehouse space occupied before the rail connection is made. If that is case, then **this consultation is invalid** because many consultees will not have known the correct intended maximum occupancy figure prior to the rail connection being made. Furthermore, it demonstrates clearly that the site would become almost entirely occupied by road-based logistics companies who will have no incentive to use the rail connection when it is eventually made. This 80% occupancy level strengthens all the arguments that I have made earlier in this document. It appears that the developer is attempting to use the Planning Inspectorate to bypass the local planning authority which would have been the normal means of seeking approval for a road-based logistics site.

I retain my strongly held view that the amendment requested by Segro in respect of Northampton Gateway should be refused.

Andrew Bodman

23rd September 2022